

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION  
NO. 7:11-CR-138-BO

UNITED STATES OF AMERICA )  
 )  
 v. )  
 )  
 DANIEL P. OSTBY )

**ORDER AND JUDGMENT OF FORFEITURE**

WHEREAS, pursuant to the entry of the Memorandum of Plea Agreement entered into by the defendant, Daniel P. Ostby, on December 7, 2011, the following property is hereby forfeitable pursuant to 18 U.S.C. §§ 982 (a)(2) and 982 (a)(1), to wit: gross proceeds in the amount of \$ 1,165,869.25.

AND WHEREAS, by virtue of said Memorandum of Plea Agreement, the United States is now entitled to possession of said personal property, pursuant to 18 U.S.C. §§ 982 (a)(2) and 982 (a)(1), as allowed by Fed. R. Crim. P. 32.2 (c)(2);

It is hereby ORDERED, ADJUDGED and DECREED:

1. That based upon the Memorandum of Plea Agreement as to the defendant, Daniel P. Ostby, the United States is hereby AUTHORIZED to seize the above-stated personal property, and it is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n), as allowed by Fed. R. Crim. P. 32.2(b)(3). In addition, JUDGMENT is entered for the amount of the gross proceeds, that is, \$1,165,869.25, as allowed by Fed. R. Crim. P. 32.2(b)(2)(A).

In accordance with Fed. R. Crim. P. 32.2(b) (4) (A), this Order and Judgment is final as to the defendant upon entry.

2. That upon sentencing and issuance of the Judgment and Commitment Order, the Clerk of Court is directed to incorporate a reference to this Order and Judgment of Forfeiture in the applicable section of the Judgment, as required by Fed. R. Crim. P. 32.2(b) (4) (B).

SO ORDERED. This 4 day of March, 2012.

  
\_\_\_\_\_  
Terrence W. Boyle  
United States District Judge